

FINAL EXAMINATION

LEGAL OFFICE PROCEDURES

Student Assessment 1

Instructions: Circle T if the question is True or F if the question is False.

- T F 1. Jurisdiction means the place or county where the facts are sworn to or where the case is to be tried.
- T F 2. The object of criminal remedy is to deter crime in the form of compensatory damages.
- T F 3. A demurrer raises an issue of law as to the legal sufficiency of the complaint.
- T F 4. The first impression given by the legal office staff can have an important bearing and a lasting influence upon the relationship between the attorney and client.
- T F 5. Pleadings are documents used in court actions or litigation.
- T F 6. In preparing legal documents, sometimes you have to sacrifice neatness and correctness for speed.
- T F 7. Civil litigation includes contract actions and tort actions.
- T F 8. A "devise" is a gift of money.
- T F 9. Historically, the Ten Commandments were the basis for the development of law.
- T F 10. The United States has a set of 51 different laws representing each state and the federal government.
- T F 11. Neither the plaintiff nor defendant is allowed to be represented by counsel in a small claims court action.
- T F 12. When a party has his attorney represent him in a legal action, he is said to be appearing "*in propria persona*" or "*pro per.*"

- T F 13. In a complicated suit filed in small claims court, the plaintiff may request a jury trial.
- T F 14. Rules for calendaring are determined by the Code of Civil Procedure.
- T F 15. The shareholders select the officers of a corporation.
- T F 16. All original pleadings must be filed with the court.
- T F 17. A "notice of *lis pendens*" is an office-typed pleading containing the title of the case and giving notice to the world that the property described in the case is the subject of legal action.
- T F 18. When legal papers are said to be "conformed," this means that they are to be made identical.
- T F 19. A private person may arrest another person under special circumstances.
- T F 20. Title and abstract companies are in the business of searching and examining titles to real property.
- T F 21. Charges or encumbrances filed against real property are called "liens".
- T F 22. There are instances when a police officer may make an arrest without a warrant.
- T F 23. An adult can adopt another adult providing the adopting adult is older than the adult being adopted.
- T F 24. Since the adoption proceeding is a nonadversary action, it is usually initiated by filing a petition for adoption.
- T F 25. Points and authorities are the cases which an attorney believes support his case.
- T F 26. Legal documents prepared subsequent to the initial pleading are delivered to the attorneys, not the litigants.
- T F 27. All answering pleadings must contain verifications.
- T F 28. A bond is always required of executors.

- T F 29. Pleadings are typed on legal ruled or legal cap paper.
- T F 30. The final paragraph of a pleading is the prayer which requests relief from a wrong done or committed.
- T F 31. A verification may be on a separate page attached to a court document.
- T F 32. Demur is both a noun and a verb.
- T F 33. An executed document is one which is signed by all parties thereto.
- T F 34. In some jurisdictions both of the following spellings are correct: subpoena and subpena.
- T F 35. A criminal act may be an act omitted as well as committed in violation of the law.
- T F 36. When one is served with a subpoena *duces tecum*, he must bring to court with him the materials or papers specified.
- T F 37. The original of a document filed with the court clerk is retained by the attorney's office for safekeeping.
- T F 38. Law office file copies of recorded documents should be conformed to show the recorded information if it is available.
- T F 39. The grounds for a legal separation are not the same as the grounds for dissolution.
- T F 40. "Letters" is the term given the legal document which authorizes the appointed individual to act for another in a probate matter.
- T F 41. The trend is to use legal paper which measures 8 ½ X 13.
- T F 42. The laws governing community property in Texas and California are the same.
- T F 43. An executor is appointed by the court to administer an intestate estate.
- T F 44. Statutory rape is considered to be rape of a woman under the legal age of consent, even though she may consent to the act.

T F 45. An administrator is appointed by the court when a person dies intestate.

Student Assessment 2

Instructions: Circle the letter which indicates the most correct answer.

46. Mayhem is a crime against:

- | | |
|--------------------|----------------------------|
| A. person | C. public decency |
| B. property | D. public authority |

47. Burglary involves:

- | | |
|---------------------|--------------------|
| A. structure | C. property |
| B. person | |

48. Which of the following would not be a crime against public authority?

- | | |
|-------------------|-------------------------------|
| A. perjury | C. fraud |
| B. bribery | D. obstructing justice |

49. A listing kept by the court clerk of all cases to be heard by the court is a:

- | | |
|------------------------|--------------------------|
| A. calendar | C. court schedule |
| B. court docket | |

50. Execution of an instrument means:

- | | |
|-----------------------------------|-------------------------------------|
| A. preparing an instrument | C. acting upon an instrument |
| B. signing an instrument | |

51. Which of the following would not be a crime against person:

- | | |
|----------------------|------------------------|
| A. homicide | C. battery |
| B. kidnapping | D. embezzlement |

52. A crime punishable by death or imprisonment in a state or federal prison:

- | | |
|------------------|-----------------------|
| A. tort | C. misdemeanor |
| B. felony | |

53. An acknowledgment is:
- A. a petition containing authorized signatures
 - B. a formal declaration of intent to purchase
 - C. a formal statement made before an authorized individual in which the signer acknowledges that he signed the document
 - D. a declaration made by two parties to a contract, giving full agreement to the conditions and terms.
54. *Corpus Juris Secundum* (C.J.S.) is a:
- A. legal encyclopedia
 - B. digest
 - C. citator
 - D. reporter
55. *Smith vs. Packard*, 210 Mo. 118, is an example of:
- A. supplement
 - B. citation
 - C. classification
 - D. report
56. Criminal matters take precedence over civil matters as provided for by:
- A. federal statute
 - B. state statute
 - C. state constitution
 - D. U.S. Constitution
57. Chapter 13 of the Federal Bankruptcy Act relates to these proceedings:
- A. corporate reorganization
 - B. arrangements
 - C. wage earners' plans
 - D. real property arrangements
 - E. none of these
58. A verification is:
- A. a sworn question-answer statement
 - B. a sworn statement by which signer acknowledges he recorded document
 - C. a sworn confirmation of the truth of the statements contained in the document
 - D. an authenticated copy of a signed the document
59. A "Z ruling" is used to:
- A. indicate that additional material will be inserted
 - B. indicate deleted material
 - C. eliminate the possibility of forgery
 - D. none of these

60. The legal support staff are primarily concerned with:

- | | |
|-----------------------|--------------------|
| A. procedural law | C. civil law |
| B. administrative law | D. substantive law |

Student Assessment 3

Instructions: Fill in the word that best completes the sentence.

61. The place or country where the facts are sworn to or where the case is to be tried is known as the _____.
62. A legal action is commenced by the filing of an original _____ and the issuance of a summons by the clerk.
63. _____ is the number assigned to a case by the Clerk of the Court.
64. A corporation performs an _____ act when it acts outside the powers granted to it by its articles of incorporation.
65. A _____ is a group of related statutes or laws pertaining to specific subjects.
66. Current printed legislation of cases designed to fit into the appropriate pockets of law books are called _____.
67. Printed court forms are obtained from the office of the _____.
68. The two calendars used by the legal support staff are the _____
69. and the _____.
70. The parties in a dissolution suit are referred to as the _____
71. and the _____ instead of the plaintiff and defendant.
72. A _____ will is a will that is oral and not written.
73. The authority used by an absent stockholder to have his vote cast by another at corporation meetings is called a _____.
74. The person making a will is called a _____.

75. _____ are passed by local or city councils.

Student Assessment 4

Instructions: Match the most correct letter to the number.

Section I

- ___ 76. Interrogatories
- ___ 77. Bill of Particulars
- ___ 78. Deposition
- ___ 79. Verification
- ___ 80. Stipulation
- ___ 81. Declaration
- ___ 82. Affidavit
- ___ 83. Petition

Section I

- A. a signed statement at the end of a document which alleges that the statements in the document are true
- B. questions asked and answered under oath
- C. a written statement made under penalty of perjury and signed by the party making the statement
- D. document filed to commence an action for dissolution, nullity, or legal separation
- E. written questions directed to the adverse party with a demand that they be answered
- F. a written statement made under oath and signed before a notary by the person making it
- G. pleading demanding a detailed accounting of the plaintiff's claim which was not fully itemized in the the complaint.
- H. an agreement between attorneys binding on respective clients

Section II

- ___ 84. Operating System
- ___ 85. Laser
- ___ 86. CD-ROM
- ___ 87. Keyboard
- ___ 88. Word Processing
- ___ 89. Portable Computer
- ___ 90. Video Graphics Array
- ___ 91. Diskette
- ___ 92. Mouse

Section III

- ___ 93. Nuncupative
- ___ 94. Intestate
- ___ 95. Devisee
- ___ 96. Executor
- ___ 97. Codicil
- ___ 98. Spousal Support
- ___ 99. Order to Show Cause
- ___ 100. Annulment

Section II

- A. LCD Display
- B. pointing device
- C. secondary storage
- D. application software
- E. most popular input device
- F. displays many colors
- G. system software
- H. non-impact printer
- I. square record-like object

Section III

- A. an order requiring appearance at the temporary granting of alimony or support
- B. person to whom land or real property is given by a will
- C. an addition to a will
- D. declaration of nullity
- E. person designated by will to administer estate of decedent
- F. decedent died without valid will
- G. oral will
- H. formerly termed alimony

FINAL EXAMINATION (with Answers)

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Student Assessment 3

Instructions: Fill in the word that best completes the sentence.

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62. A legal action is commenced by the filing of an original complaint/petition and the issuance of a summons by the clerk.
63. Docket is the number assigned to a case by the Clerk of the Court.
64. A corporation performs an ultra vires act when it acts outside the powers granted to it by its articles of incorporation.
65. A code is a group of related statutes or laws pertaining to specific subjects.
66. Current printed legislation of cases designed to fit into the appropriate pockets of law books are called supplements.
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71. and the respondent instead of the plaintiff and defendant.
72. A nuncupative will is a will that is oral and not written.
73. The authority used by an absent stockholder to have his vote cast by another at corporation meetings is called a proxy.
74. The person making a will is called a testator.

75. Ordinances are passed by local or city councils.

Student Assessment 4

Instructions: Match the most correct letter to the number.

Section I

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- G 77. Bill of Particulars
- B 78. Deposition
- A 79. Verification
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- C. an addition to a will
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- E. person designated by will to administer estate of decedent
- F. decedent died without valid will
- G. oral will
- H. formerly termed alimony